IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 1ST FEBRUARY 2007 / 12TH MAGHA 1928

WP(C).No. 15872 of 2006(M)

PETITIONER:

E.V. VIJAYAN, AGED 49 YEARS,
S/O. LATE P. KRISHNAN NAIR, `SREEPADAM',
J.N. ROAD, PERINTHALMANNA, MALAPPURAM DISTRICT.

BY ADV. SMT.P.A.ANITHA

RESPONDENTS:

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1. JOINT REGISTRAR (G) OF CO-OPERATIVE SOCSIETIES, MALAPPURAM.

2. THE MALAPPURAM DISTRICT CO-OPERATIVE BANK LTD., MALAPPURAM, REPRESENTED BY ITS GENERAL MANAGER.

3. THE MANAGER, MALAPPURAM DISTRICT CO-OPERATIVE BANK LTD., PERINTHALMANNA, MAIN BRANCH.

4. THE SPECIAL SALE OFFICER, MALAPPURAM DISTRICT CO-OPERATIVE BANK LTD., MALAPPURAM.

BY ADV. SRI.U.K.RAMAKRISHNAN SC FOR R2
SRI.P.V.LOHITHAKSHAN
R2T.P.VIJAYAMMA
SMT.UMA GOPINATH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1- TRUE COPY OF THE REPRESENTATION DATED 28.3.2006 SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENTS 2 TO 4.

EXT.P2- TRUE COPY OF THE REMINDER DATED 16.5.2006 FROM THE PETITIONER TO THE RESPONDENTS 2 TO 4

EXT.P3- TRUE COPY OF THE LAWYER NOTICE DATED 29.5.2006 TO THE PETITIONER.

EXT.P4- TRUE COPY OF THE REPLY NOTICE SUBMITTED BY THE PETITIONER TO SRI.P.C.GIRISH, ADVOCATE, MALAPPURAM DATED 3.6.2006

RESPONDENT'S EXHIBITS

EXT.R2(a)- TRUE COPY OF THE INTEREST WORKING SHEET OF CASH CREDIT NO.51 OF THE PETITIONER PREPARED BY THE 3RD RESPONDENT

EXT.R2(b)- TRUE COPY OF THE INTEREST WORKING SHEET OF CASH CREDIT NO.52 OF THE PETITIONER PREPARED BY THE 3RD RESPONDENT

(TRUE COPY)

P.A TO JUDGE

J.M.JAMES, J.

W.P.(C). 15872/2006

Dated this the 1st day of February, 2007

JUDGMENT

The defaulted writ petitioner is before this Court praying to extend him the One Time Settlement facilities, so that he could clear the debt, due to the second respondent, bank.

2. After hearing the arguments advanced by both sides, I direct the writ petitioner to file a representation, requesting for an One Time Settlement before the second respondent, bank, within ten days from today. On receipt of the same, the second respondent shall hear the petitioner and pass orders extending him all the facilities and benefits of One Time Settlement scheme, available under Circular No.59/2006 dated 30.11.2006.

3. Till the passing of such an order and thereafter on compliance of the conditions contained in the said order of the second respondent, all coercive steps, initiated against the writ petitioner, shall be kept in abeyance.

The writ petition is disposed of as above.

J.M.JAMES
JUDGE

mrcs